

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOSEPH NEMEC,

Plaintiff,

v.

RALPH W. SHRADER, C.G. APPLEBY,  
SAMUEL R. STRICKLAND, JOSEPH  
GARNER, DENNIS O. DOUGHTY, and  
BOOZ ALLEN HAMILTON, INC.,

Defendants.

09 Civ. 7466 (LAK)

GERD WITTKEMPER,

Plaintiff,

v.

RALPH W. SHRADER, C.G. APPLEBY,  
SAMUEL R. STRICKLAND, JOSEPH  
GARNER, DENNIS O. DOUGHTY, and  
BOOZ ALLEN HAMILTON, INC.,

Defendants.

09 Civ. 8290 (LAK)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the accompanying Declaration of Rebecca S. Giltner In Support Of Defendants' Motion To Dismiss The Complaints With Prejudice, dated December 15, 2009, and the accompanying Memorandum of Law In Support Of Defendants' Motion To Dismiss The Complaints With Prejudice, dated December 15, 2009, the undersigned hereby moves this Court on behalf of all Defendants in the above-captioned actions, before the Honorable Lewis A. Kaplan, United States District Judge, at the United States District Court for the Southern District of New York – Daniel Patrick Moynihan United States Courthouse, 500

Pearl Street, Courtroom 12D, New York, New York, 10007, for an order dismissing the Complaints with prejudice pursuant to Fed. R. Civ. P. 12(b)(6) in the above-captioned actions.

PLEASE TAKE FURTHER NOTICE, that pursuant to the Joint Stipulation agreed to and filed by the parties on December 2, 2009, and the Scheduling Order entered by the Court on December 7, 2009, Plaintiffs' opposition papers shall be filed on or before 45 days after service of Defendants' motion to dismiss; and Defendants' reply papers shall be filed on or before 30 days after service of Plaintiffs' opposition papers.

Dated: New York, New York  
December 15, 2009

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By: /s/ Rebecca S. Giltner  
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